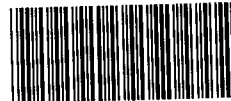




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460



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ORIGINAL  
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OFFICE OF  
SOLID WASTE AND EMERGENCY RESPONSE

OCT 31 1990

MEMORANDUM

SUBJECT: Region III's Request for a Ceiling Increase at the Shaffer Equipment Site, Minden, West Virginia. -- **ADDENDUM**

FROM: Stephen D. Luftig, Director *S. Luftig*  
Emergency Response Division

TO: Don R. Clay, Assistant Administrator

THRU: Henry L. Longest II, Director *Jim H. Longest II*  
Office of Emergency and Remedial Response

PURPOSE:

Attached is a request from the Region III Regional Administrator, dated October 3, 1990, for a ceiling increase at the Shaffer Equipment Site, Minden, West Virginia. The following discussion is to address concerns raised by the Office of General Counsel, and supplements Region III's action memorandum requesting a CERCLA 104(c) emergency exemption for the proposed action.

DISCUSSION:

The following serves to amend and clarify Region III's request. The Region's request states that the current total project ceiling for the Shaffer Equipment removal action is \$3,755,447, and that a ceiling increase of \$704,790 will raise the total project ceiling to \$4,460,237. This is not correct, and should be changed to read that the current project ceiling for the Shaffer Equipment site is \$4,310,700. The ceiling increase of \$704,790 will raise the total project ceiling for removal action at this site to \$5,015,490.

This ceiling increase is required to address polychlorinated biphenyl (PCB) contaminated soil at the site. PCB concentrations in soils at the site are as high as 40,000 ppm. The site is readily accessible and subject to flooding and off-site migration of contaminants. The new contamination found in June of this year presents the same immediate human health threats posed by similarly high levels of PCBs that

existed in 1985, when a \$1 million emergency exemption was approved by the Assistant Administrator/ Office of Solid Waste and Emergency Response, for excavation and removal of PCB contaminated soil at this site. These threats are further documented in the attached October 16, 1990, memorandum from the On-Scene Coordinator.

EPA has recently scored the Shaffer Equipment site for the National Priorities List (NPL). The preliminary score was (b) (5) The Region does not believe that this site will be proposed for the NPL.

The following discussion should be included to address the CERCLA requirement that a removal action contribute to the efficient performance of any long-term remedial action. The proposed actions are required to mitigate the threat to human health and the environment posed by the presence of high concentrations of hazardous substances in near-surface soils on site. These actions will contribute to the efficient performance of any long-term remedy for the site through mitigation of the near-term threat of human direct contact with hazardous substances, and through removal of the source of possible off-site release of these substances.

The cleanup level associated with the excavation of soil at this site will be consistent with TSCA PCB spill cleanup policy for non-restricted access areas.

RECOMMENDATION:

I recommend that you approve Region III's request for a ceiling increase at this site. Of the \$704,790 increase, \$590,023 will be Regional removal response allowance costs. This amount is available in the Region's first quarter FY 91 allowance. The proposed actions at the Shaffer Equipment site meet the CERCLA 104(c) criteria for an exemption from the statutory limit on removal actions, which must be met for a project ceiling increase above \$2 million. If approved, the total project ceiling will be raised from \$4,301,700 to \$5,015,490.

Approved:



Date:

10/31/90

Disapproved:

\_\_\_\_\_

Date:

\_\_\_\_\_

Attachment